

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 02, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

BURL J. WALLACE, SR., husband,
EVELYN WALLACE, wife,

Plaintiffs,

vs.

HOME DEPOT USA INC., a Delaware
Corporation doing business in
Washington,

Defendant.

No. 4:22-CV-05011-MKD

ORDER ON STIPULATED
MOTION TO DISMISS

ECF No. 12

Before the Court is the parties' Stipulated Motion to Dismiss and Order,

ECF No. 12. Fed. R. Civ. P. 41(a)(1)(A)(ii) provides that a plaintiff may dismiss

an action without court order by filing a stipulation of dismissal signed by all

parties who have appeared. The parties stipulate and agree to the dismissal of this

action in its entirety with prejudice, each party to bear their own attorney's fees

and costs. The stipulation is signed by all counsel for all parties who have

appeared.

Accordingly, **IT IS ORDERED:**

ORDER ON STIPULATION OF DISMISSAL WITH PREJUDICE-RULE
41(a)(1)(A)(ii) - 1

1. Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulated motion,
ECF No. 12, all claims are **DISMISSED with prejudice**, without an award of fees
or costs.

2. Any pending motions are **DENIED** as moot.

3. All hearings and other deadlines are **STRICKEN**.

IT IS SO ORDERED. The District Court Executive is directed to file this Order, provide copies to counsel, and **CLOSE** the file.

DATED February 2, 2023.

s/Mary K. Dimke
MARY K. DIMKE
UNITED STATES DISTRICT JUDGE